

**CITY OF TULARE
CITY COUNCIL MEETING MINUTES**

**Council Chamber
491 North M Street, Tulare**

**Tuesday, August 1, 2023
6:15 p.m. - Special Meeting
7:00 p.m. - Regular Meeting**

COUNCIL PRESENT: Mayor Terry A. Sayre
Vice Mayor Patrick Isherwood
Councilmember Jose Sigala
Councilmember Stephen C. Harrell
Councilmember Dennis A. Mederos

STAFF PRESENT: City Manager Marc Mondell; City Attorney Mario Zamora;
Chief Deputy City Clerk Melissa Hermann; Chief Financial
Officer Diego Ibañez; City Engineer Michael Miller; Public
Works Director Trisha Whitfield; Assistant Community
Services Director Brian Beck; Police Chief Fred Ynclan; Fire
Chief Michael Ott; Human Resources Director Janice Avila;
Community Development Director Mario Anaya; Chief
Technology Officer Jason Bowling; Safety, Compliance &
Facilities Officer Manny Correa

The special meeting scheduled for 6:15 p.m. was canceled prior to the start of the meeting. Items listed under the special meeting were not acted upon.

- 1. CALL TO ORDER SPECIAL MEETING**
- 2. PUBLIC COMMENT PERTAINING TO CLOSED SESSION ITEMS**
- 3. RECESS TO CLOSED SESSION TO DISCUSS THE FOLLOWING ITEMS**
 - 3.1 Conference with Labor Negotiators (Government Code § 54957.6)**

Agency Representatives: Mario Zamora, Marc Mondell, Janice Avila, Michael Ott

Employee Organization: Tulare Professional Fire Fighter Association - Non-Management; Tulare Professional Fire Fighter Association - Management
- 4. RECONVENE FROM CLOSED SESSION**
- 5. CLOSED SESSION REPORT**
- 6. ADJOURNMENT OF SPECIAL MEETING**
- 7. CALL TO ORDER REGULAR MEETING**

Mayor Sayre called the regular meeting of the City Council to order at 7:00 p.m. in the Council Chamber located at 491 North M Street.

8. PLEDGE OF ALLEGIANCE AND INVOCATION

Vice Mayor Isherwood led the Pledge of Allegiance, and an invocation was given by Pastor Dennis Sunderland of Tulare Bethel Church.

9. PRESENTATIONS

9.1 Adventist Health Tulare Update. A presentation was not given at this time and will be scheduled for a future meeting.

10. PUBLIC COMMENTS

The following provided public comment: Lonnie Lopez stating objection to placing a fence around Prosperity Sports Park.

11. COMMUNICATIONS

City Manager Marc Mondell advised there were no communications.

12. COUNCIL REPORTS AND ITEMS OF INTEREST

Council reported out on recent events and discussed items of interest.

13. CONSENT CALENDAR

It was moved by Councilmember Mederos, seconded by Councilmember Harrell, and unanimously carried to approve the items on the Consent Calendar as presented.

13.1 Waive the reading of ordinances and approve reading by title only.

Recommended Action: Approve the reading by title only of all ordinances and that further reading of such ordinances be waived.

13.2 Special and/or Regular Meeting Minutes of July 18, 2023.

Recommended Action: Approve as submitted. [M. Hermann]

13.3 Notice of Completion – EN0090 Sequoia-Spruce Tracts Improvements Project.

Recommended Action: Accept as complete the contract with 99 Pipeline, Inc. of Porterville, CA for work on Project EN0090 – Sequoia-Spruce Tracts Improvements, a street and utility improvement project on Spruce St., between Bardsley Avenue and Tulare Avenue; authorize the City Engineer to sign the Notice of Completion; and direct the City Clerk to file the Notice of Completion with the Tulare County Recorder's Office. [M. Miller]

13.4 Construction Contract for Project No. PK0038 – Prosperity Sports Park Basketball Courts.

Recommended Action: [M. Miller] Award and authorize the City Manager to sign contracts related to City Project PK0038, a project to construct two basketball courts at Prosperity Sports Park; authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of each contract amount; and approve the revised budget.

1.	Contractor	Todd Companies of Visalia, CA	\$ 317,250.00
----	------------	-------------------------------	---------------

2.	Construction Surveying	Guida Surveying, Inc. of Fresno, CA	\$ 12,100.00
3.	Labor Compliance Monitoring	Labor Consultants of California of Hanford, CA	\$ 5,100.00
4.	Materials Testing	CTL of Exeter, CA	\$ 8,930.00

13.5 Asphalt Contract with Deer Creek.

Recommended Action: Award and authorize the City Manager to sign a contract with Jaxon Enterprises, DBA Deer Creek Asphalt (Deer Creek), of Redding, CA in the amount of \$54.75/ton for 3/8" Plant Run Cold Mix with Oil, \$54/ton for 1/2" Plant Run Cold Mix with Oil and \$60.00/ton for 1/2" Hot Asphalt Concrete, subject to minor conforming or clarifying changes acceptable to the City Attorney. [T. Whitfield]

13.6 Veterinary Services Agreement.

Recommended Action: Approve a three-year agreement for veterinary services with Valley Veterinary Services for an amount not to exceed \$2,500 per month. [M. Machado]

14. PUBLIC HEARINGS

14.1 Placing Public Improvement Loans on Tax Roll.

Recommended Action: Adopt a resolution placing costs associated with connection of existing improved properties to the City's water and/or wastewater systems, and/or the construction of sidewalks, gutters, pavement, driveways, and curbs on existing improved properties within the City on property tax rolls in installments.

Presented By: Chief Financial Officer Diego Ibañez

Public Comment: The public hearing was opened at 7:19 p.m. Receiving no public comments, the public hearing was closed at 7:20 p.m.

Council Action: It was moved by Councilmember Mederos, seconded by Councilmember Sigala, and unanimously carried to approve the item as presented.

14.2 First Reading of Quimby Act Ordinance.

Recommended Action: Pass-to-print an ordinance providing for adoption of the proposed Quimby Act Ordinance, to be added as Chapter 8.26 of the Tulare Municipal Code, and implementation of the provisions of the Quimby Act as described herein.

Presented By: Community Development Director Mario Anaya

Public Comment: The public hearing was opened at 7:49 p.m. Lonnie Lopez provided comment supporting the Quimby Act Ordinance, but not putting fences around parks. Receiving no further comments, the public hearing was closed at 7:51 p.m.

Council Action: It was moved by Councilmember Mederos, seconded by Councilmember Sigala, and unanimously carried to pass-to-print an ordinance providing for adoption of the proposed Quimby Act Ordinance, to be added as Chapter 8.26 of the Tulare Municipal Code, and implementation of the provisions of the Quimby Act as described herein subject to the modifications as discussed

during the course of the hearing as it relates to the aspirations of the Council to have four acres or above as indicated in the Quimby Act recognizing that the City is restricted until at the point where it can do so by law.

15. GENERAL BUSINESS

15.1 First Reading of Street Racing and Spectator Ordinance.

Recommended Action: Pass-to-print an ordinance adding Chapter 32 of Title 6 of the Tulare Municipal Code related to street racing.

Presented By: Police Chief Fred Ynclan

Public Comment: None

Council Action: It was moved by Councilmember Sigala, seconded by Councilmember Harrell, and unanimously carried to approve the item as presented.

15.2 Women's Clubhouse Repairs.

Recommended Action: Provide direction on the Women's Clubhouse repairs.

Presented By: Safety, Compliance & Facilities Officer Manny Correa

Public Comment: None

Council Action: It was moved by Vice Mayor Isherwood, seconded by Mayor Sayre, and unanimously carried to direct staff to bring back the contracts for the roof repair and weatherization identifying possible funding sources at that time. It was the consensus of Council to direct staff to conduct a letter writing campaign to the Union Pacific Railroad regarding selling the property where the Women's Clubhouse is located to the City.

16. FUTURE AGENDA ITEMS

16.1 Discuss Feasibility of Cultural Arts Center in Downtown.

Recommended Action: Review and provide direction to either add to a future agenda or not. [Councilmember Harrell]

Council Action: It was the consensus of Council to have staff add this item to a future agenda.

17. STAFF UPDATES

Staff provided updates on department activities.

18. ADJOURNMENT

The regular meeting was adjourned at 8:58 p.m.

Approved by Council: August 15, 2023

TERRY A. SAYRE, MAYOR

ATTEST:

MARC MONDELL, CITY CLERK

By Melissa Hermann, Chief Deputy City Clerk